

STATEMENT OF SCOPE

DENTISTRY EXAMINING BOARD

Rule No.: DE 11

Relating to: Sedation permits

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to allow the Board to use discretion in granting sedation permits to a dentist who is currently being investigated or has had disciplinary action relating to general anesthesia or conscious sedation.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Currently the rule states the Board shall grant a class 1, class 2 or class 3 permit based upon meeting specific requirements. The requirements do not allow the consideration of a pending investigation or disciplinary action relating to a previously granted permit, particularly a permit at a higher level when there is a concern on a lower permit. The proposed rule change will allow the Board to consider discipline relating to sedation and use its discretion in issuing a permit.

The alternative is to grant a permit if the requirements are met irrespective of discipline which may not be in the best interest of public safety.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

s. 15.08(5)(b) Each examining board: shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

s. 447.02(2)(b) The examining board shall promulgate rules specifying the standards, conditions and any educational requirements that are in addition to the requirements specified in s. 447.04(1) that must be met by a dentist to be permitted to induce general anesthesia or conscious sedation in connection with the practice of dentistry.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

100 hours

6. List with description of all entities that may be affected by the proposed rule:

Dentists

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None

8. Anticipated economic impact of implementing the rule:

Minimal or none

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Department Head or Authorized Signature

Date Submitted